

Message Text

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43

ACTION OFA-01

INFO OCT-01 EA-07 ISO-00 CG-00 DLOS-04 DOTE-00 EB-07 H-02

CIAE-00 INR-07 NSAE-00 L-03 SS-15 TRSE-00 COME-00

NSC-05 /052 W

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R 090847Z SEP 75

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 2672

INFO AMEMBASSY TOKYO

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TOKYO FOR REG FISH ATT

EO 11652: N/A

TAGS: EFIS, PLOS, KS, US

SUBJECT: USCG SEIZURE OF KOREAN TRAWLER KUM KANG SAN

SUMMARY: EMBASSY HAS RECEIVED INQUIRY FROM KOREA
WONYANG FISHERS COMPANY OFFICIALS CONCERNING POSSIBILITIES
OF CLEMENCY AND/OR ABATEMENT OF A \$415,000 FINE LEVIED BY THE
USCG. REQUEST CONFIRMATION OF THE FACTS OF THE CASE, TOGETHER
WITH ANY INFORMATION WHICH CAN BE PROVIDED TO COMPANY. END SUMMARY

1. ACCORDING TO COMPANY OFFICIALS, THE TRAWLER KUM KANG
SAN WAS SEIZED AT 1130 HOURS AUGUST 7, 1975 AT A POINT
11.8 MILES OFF SANAK ISLAND IN BERING SEA AREA OFF
ALASKA AND TOWED TO KODIAK. CREW WAS TAKEN TO
WASHINGTON FOR TRIAL AND JOINED BY COMPANY VICE PRESIDENT
CHUNG TAE KUK WHO TELEPHONED FIRM ON SEPTEMBER 9 THAT
A \$415,000 FINE HAD BEEN LEVIED BOTH FOR FISHING WITHIN
12 MILES AND FOR FALSIFYING THE NAVIGATION LOG OF THE
VESSEL.

2. COMPANY OFFICIALS STATED THAT SIZE OF THE FINE,
WHICH IS THE APPROXIMATE VALUE OF THE VESSEL, CAME AS A
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SHOCK AND WILL CAUSE THE FIRM HARDSHIP. THEY CLAIM

THAT IT SEEMS DISPROPORTIONATE IN VIEW OF THE SLIM MARGIN OF AN INCURSION OF TWO TENTHS OF A MILE. THEY STATE THAT ALL THEIR VESSELS ARE UNDER STRICT ORDERS TO REMAIN OUTSIDE THE 12 MILE LIMIT BUT THAT THE VESSEL WAS VISITING THE WATERS IN WHICH IT WAS SEIZED FOR THE FIRST TIME. THEY ALLEGE THAT THEIR CHARTS DO NOT SHOW SANAK ISLAND. THEY FEEL THAT THERE WAS A GOOD POSSIBILITY OF ERROR ON BOTH SIDES

AND WISHED TO KNOW WHETHER THE AMOUNT OF THE FINE CAN BE ABATED.

3. EMBASSY OFFICERS INFORMED THE COMPANY THAT ITS LEGAL REPRESENTATIVES WOULD BE IN A BETTER POSITION TO ADVISE ON THE POSSIBILITIES FOR APPEAL AND/OR ABATEMENT OF THE FINE. HOWEVER, WON YANG FISHERIES COMPANY IS WELL AND FAVORABLY KNOWN AS THE LARGEST (128 VESSELS) IN THE KOREAN FISHING INDUSTRY AND DOES NOT TO OUR KNOWLEDGE HAVE ANY PREVIOUS RECORD OF HAVING TRANSGRESSED U.S. LAW.

4. ACTION REQUESTED: REQUEST OFFICIAL VIEW OF THE FACTS OF THE INCIDENT, TOGETHER WITH ANY INFORMATION WHICH CAN BE PROVIDED TO COMPANY OFFICIALS IN RESPONSE TO THEIR EXPRESSIONS OF CONCERN.
SNEIDER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHIP DETENTION, FISHING BOATS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 SEP 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CunninFX
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975SEOUL07029
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750311-0522
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Handling Restrictions: n/a
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ISecure: 1
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Review Authority: CunninFX
Review Comment: n/a
Review Content Flags:
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Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 JUL 2003 by CunninFX>; APPROVED <18 NOV 2003 by CunninFX>
Review Markings:

Margaret P. Grafeld
Declassified/Released
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EO Systematic Review
06 JUL 2006

Review Media Identifier:
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
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Status: NATIVE
Subject: USCG SEIZURE OF KOREAN TRAWLER KUM KANG SAN SUMMARY: EMBASSY HAS RECEIVED INQUIRY FROM KOREA
TAGS: EFIS, PLOS, KS, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006